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June 11, 2012

By ECF & Hand

The Honorable Kiyo A. Matsumoto
United States District Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Neil Messina, et al.
11 Cr. 31 (KAM)

Dear Judge Matsumoto:

This letter is to request that defendant Neil Messina's bail conditions be modified to allow him to visit his ailing and elderly (80 years old) mother at her home at 9102 Colonial Road, Apt. 6B, Brooklyn, New York on the following two (2) Thursdays, June 14 and 21, 2012, from 11:00 a.m. to 4:00 p.m. (including travel time). Mrs. Messina has written a letter to the Court describing her poor health and the difficulty she has in traveling because of "limitations of movement". Mindful that Mr. Messina has been fully compliant with all bail conditions since his arrest more than a year ago, we urge Your Honor to grant this modest request. The government and pretrial services do not consent.

The defendant's request to visit his mother on Thursday June 14 and 21, 2012, from 11 a.m. to 4 p.m. at the mother's home, 9102 Colonial Road, Apt 6B, Brooklyn, NY is granted. He may not visit other addresses or make other stops. Mr. Messina is reminded to comply with all bond conditions.

*SO ORDERED
6/13/12*

Very truly yours,

Gerald J. McMahon

GJM:cw

Enclosure

cc: AUSA Allon Lifshitz

SDNY PTS Officer Leo Barrios

(By email)

lt138a

9102 Colonial Rd. - 6B
Brooklyn, N.Y. 11209-6156
May 24, 2012
Phone # 1-718-833-8654

Honorable Judge Masamoto,

I am writing this letter directly to you regarding my son Neil Messina who is currently under house arrest. He was allowed to come to see me because I am dealing with many health problems. I have for the last year and a half gone from hospitals and nursing homes - from wheel chair to special therapist care and home health aides. The hospitals to which I have gone include Lutheran Medical and N.Y.U. in N.Y.C. for the most recent surgery for a tumor on the brain for which I am now recuperating.

It is difficult for me to travel and I am requesting that my son be given permission to visit with me once a week please. I am 80 years old and have limitation of movement. Your consideration will be very appreciated.

Yours Very Truly
Antoinette E. Messina

UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

MEMORANDUM

DATE: June 13, 2012

TO: Honorable Kiyo A. Matsumoto
United States District Judge

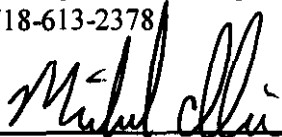
RE: Messina, Neil
Docket: 11CR31
Pretrial Services Response to Request for Bond Modification

Reference is made to the above-named defendant who initially appeared before U.S. Magistrate Judge Joan M. Azrack on January 20, 2011. On March 4, 2011, the defendant appeared before Your Honor and was released on a \$3.1 million bond secured by five properties and signed by five suretors. His conditions of release included:

- home incarceration with allowance only for pre-approved attorney appointments, treatment, court appearances, and true medical emergencies
- random visits by pretrial services
- random drug testing by pretrial services
- no direct or indirect contact with any co-defendants, except in the presence of counsel, nor with other individuals who may be members or associates of organized crime, including but not limited to the individuals on a list to be provided by the government
- phone numbers, accounts and SIM cards of all phones and cell phones to which defendant may have access must be identified to the government, and subject to monitoring
- all internet accounts to be disclosed to the government, and subject to monitoring
- no new or other phone, cell phone or internet accounts may be utilized
- no pre-paid phones
- defendant shall surrender his passport to pretrial services and shall not apply for a new passport.

Defense counsel is now asking Your Honor to permit the defendant to visit with his mother from 11:00 a.m. to 4:00 p.m. (travel time included) on June 14th and June 21st, 2012 at her residence, located at 9102 Colonial Road, #6B, Brooklyn, New York. So far the defendant has remained in general compliance with his release conditions. For this reason, coupled with the specificity of the request and limited time requested, Pretrial Services consents to the proposed bail modification. If Your Honor should have any other questions or require more information, please do not hesitate to contact Officer Michael Ilaria at 718-613-2378.

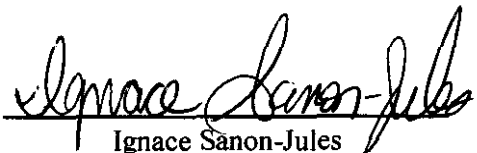
Prepared by:



Michael Ilaria

U.S. Pretrial Services Officer

Approved by:



Ignace Sanon-Jules

Supervising Pretrial Services Officer